

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

DOCKET NO. 2005-23-C

REQUEST OF ATX LICENSING, INC.     )  
TO CANCEL CERTIFICATE AND            )  
CEASE PROVISION OF SERVICE IN       )  
THE STATE OF SOUTH CAROLINA        )

REQUEST OF ATX LICENSING, INC.  
TO CANCEL CERTIFICATE AND CEASE PROVISION OF SERVICE  
IN THE STATE OF SOUTH CAROLINA

ATX Licensing, Inc. (“ATX”) hereby respectfully requests, pursuant to S.C. Code Ann. Section 58-9-300 and the Rules of the South Carolina Public Service Commission (the “Commission”), that the Commission grant it authority to withdraw its service and cancel its certificate of public convenience and necessity to provide interexchange telecommunications services within the State of South Carolina, originally granted by Commission Order No. 2005-480, Docket No. 2005-23-C (September 9, 2005).

On August 26, 2008, by Commission Order in Docket No. 2008-262-C, ATX was granted authority to migrate a substantial portion of the customers of ATX to Broadview Networks, Inc.<sup>1</sup> At that time, ATX specifically requested, and was granted, the ability to retain its authorization to provide telecommunications services in South Carolina in order to provide service to those customers of ATX which were not migrated to Broadview.

Through natural customer attrition, ATX currently serves no telecommunications service customers in South Carolina, and ATX has no plans to provide telecommunications services in South Carolina under its present authorization at a future date. Accordingly, ATX seeks herein to surrender its authority to provide telecommunications services in the State of South Carolina,

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<sup>1</sup> *In re Joint Application of Broadview Networks, Incorporated and ATX Licensing, Incorporated for Authority to Transfer Customer Base*, Order Approving Transfer of Customer Base, Docket No. 2008-262-C, Order No. 2008-604, (Aug. 26, 2008).

effective as of December 31, 2010 (or at such earlier date as specified by the Commission). ATX also respectfully requests the withdrawal of ATX's South Carolina tariff governing the provision of intrastate telecommunications services, to be effective on the same date as the withdrawal/cancellation of ATX's telecommunications service authority.

As noted above, ATX currently provides no telecommunications services in South Carolina; as a result, there are no South Carolina customers upon whom notice of discontinuance of services may be served. Additionally, ATX is current with all reports and other filings required by the Commission. Accordingly, ATX respectfully submits that the public interest, convenience and necessity would be furthered by a grant of this Request on an expedited basis, without need for either formal hearing or newspaper publication, and respectfully requests grant thereof and whatever further relief that the Commission deems appropriate with respect to the discontinuance of service described herein.

Questions or any correspondence, orders, or other materials should be directed to:

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Respectfully submitted,

s/ John J. Pringle, Jr.

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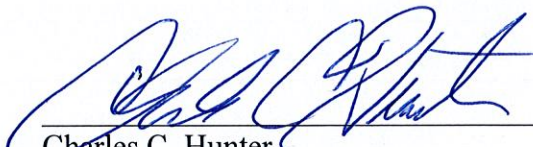
Counsel for ATX Licensing, Inc.

Dated: November 24, 2010  
Columbia, South Carolina

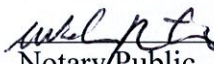
## VERIFICATION

State of New York                    )  
  )  
County of Westchester            )       ss.

I, Charles C. Hunter, being duly sworn according to law, depose and say that I am Executive Vice President and General Counsel of Broadview Network Holdings, Inc., and its operating subsidiary, ATX Licensing, Inc. ("ATX"); that I am authorized to and do make this Verification for it; that the facts set forth in the above Application are true and correct to the best of my knowledge, information and belief, and that I expect ATX to be able to prove the same at any hearing hereof; and that ATX understands that, if the contents of the Application are found to be false or to contain misrepresentations, any authority granted may be suspended or revoked. I further depose and say that the authority to submit the Application has been properly granted.

  
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Charles C. Hunter

Subscribed and sworn before me this 22<sup>ND</sup> day of NOVEMBER, 2010.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 9/20/12

